

ALLEGED SHIPMENT: On or about November 7, 1951, by Thompson & Sons, Inc., from Lyons, Ill.

PRODUCT: 2 cartons, each containing 1 device labeled, in part, "Silver-King Airborne Bacteria Control Unit" and 1 3-ounce bottle of a drug labeled, in part, "Silver-King Triethylene Glycol Air Purification Grade" at Springfield, Mo., together with a number of accompanying booklets entitled "Silver-King Health Unit" and "Silver-King a complete combination of the uses for the health and beauty of the modern home."

The device consisted of a rectangular metal box so arranged that when triethylene glycol liquid was added, the box plugged into the house electric line, and a source of moving air provided (such as from the exhaust pipe of a Silver-King vacuum cleaner), warm triethylene glycol vapor was blown out into the room.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying booklets were false and misleading. The statements represented and suggested that the device and the drug would provide an adequate and effective treatment for preventing colds, serious infections of the ears, nose, throat, and lungs, respiratory disease, tuberculosis, influenza, airborne disease, streptococcus infections, pneumonia, diseases of the nose, throat, and lungs, sore throat, bronchitis, sinusitis, middle ear disease, mastoiditis, la grippe, tonsillitis, rheumatic fever, abscessed ears, infections of wounds, childbirth infection, mumps, diphtheria, German measles, contagious diseases, bone infection, scarlet fever, erysipelas, and meningitis. The device and the drug would not provide an adequate and effective treatment for such diseases and conditions.

DISPOSITION: November 1952. No claimant having appeared and the court having found that the device and the drug were misbranded as alleged in the libel, judgment was entered ordering that the device and the drug be delivered to the Federal Security Agency.

4038. Misbranding of Germaster device. U. S. v. 49 Devices, etc. (F. D. C. No. 33305. Sample No. 33727-L.)

LIBEL FILED: June 20, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 9, 1951, by Lee Products Co., Inc., from Cleveland, Ohio.

PRODUCT: 49 *Germaster devices* and various accessories for use with the devices, including small, graduated cups with pouring lip, filters in a cellophane bag, directions for the mechanical operation of the device, and 4-ounce bottles of a colorless liquid, at Chicago, Ill., together with a sales manual entitled "Germaster The New Way to Say 'Germ Destruction with Glycol'."

The device consisted of a hollow plastic chamber containing a pad saturated with a solution composed of 50 percent triethylene glycol, 1 percent dimethylbenzyl ammonium chloride, and 49 percent water. A stubby, hollow cylinder projecting from the cover was provided for the entry of air, and long slots were in the body for the exit of the air. The device containing the saturated pad was to be attached to the exhaust end of a tanktype vacuum cleaner and air blown over the saturated pad and out into the room.

NATURE OF CHARGE: Misbranding, Section 502 (a), the name of the device and certain statements on the labels and in the above-mentioned sales manual ac-

companying the device were false and misleading. The name and the statements represented and suggested that use of the device was effective to rid the air of disease organisms and to prevent colds, mumps, influenza, whooping cough, polio, measles, scarlet fever, tuberculosis, and all airborne diseases. The device was not effective for such purposes.

DISPOSITION: June 30, 1953. Lee Products Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the device be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

4039. Misbranding of Pur Ozone Generator device. U. S. v. 10 Devices, etc.
(F. D. C. No. 34122. Sample No. 19641-L.)

LABEL FILED: November 12, 1952, District of North Dakota.

ALLEGED SHIPMENT: On or about September 19, 1952, by the Purozone Co., from Brea, Calif.

PRODUCT: 10 *Pur Ozone Generator devices* at Harvey, N. Dak., in the possession of H. C. Wagner, trading as the Purozone Co., together with a number of pamphlets entitled "Ozone Therapy by O. M. Justice, M. D." and "Bulletin No. 11 Ozone The Breath of Life" and a number of books entitled "Ozone God's Gift to Humanity No. 2 Lecture" and "Ozone God's Gift to Humanity No. 3 Lecture." The pamphlets entitled "Bulletin No. 11 Ozone The Breath of Life" had been printed locally for the consignee, and the other literature was shipped to the consignee by Dr. J. E. Effenberg, of Calozone, Inc., from Turlock, Calif.

The device consisted essentially of glass tubes that would glow and cause the formation of ozone in the surrounding air when the electrical attachments were connected with a suitable electric current. The consignee had assembled and labeled the devices with a metal plate.

LABEL, IN PART: (Metal plate) "Pur Ozone Registered Ozone Generator 110-120 Volts 10-40 Watts A. C. Purozone Company H. C. Wagner—Harvey, N. D."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets and books accompanying the device were false and misleading. The statements represented and suggested that the device would assist health, prevent disease, and act as a specific in many diseases; and that it would be effective for adenitis, swelling of the breasts, angina pectoris, alopecia, falling of the hair, arthritis, asthma, arteriosclerosis, backache, biliousness, bronchitis, bursitis, colitis, colds, sore chest, constipation, dandruff, deafness, erysipelas, earache, eczema, high blood pressure, indigestion, jaundice, leucorrhea, mumps, nervousness, pleurisy, prostate trouble, pneumonia, pelvic disturbances, psoriasis, quinsy, sore throat, rheumatism, rectal disturbances, sleeplessness, sinus trouble, tuberculosis, varicose veins, wrinkles, infections and diseases of body cavities and passages, chlorosis, anemia, nervous prostration, chronic nasopharyngeal catarrh, whooping cough (pertussis), diphtheria, scarlet fever, pernicious anemia, cardiovascular and renal diseases, insomnia, hay fever, dyspepsia, headaches, inactive liver and kidneys, syphilis, rheumatisms of gonococcal origin, destruction of microbic diseases in human beings, fistula, influenza, osteomyelitis, "and many other ailments." The device was not capable of fulfilling the promises of bene-